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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

RODOLFO MURGA AND VERONICA)	Case No.: C 12-06350 EDL
HERNANDEZ ,)	
)	STIPULATION TO DISMISS CASE
Plaintiffs,)	WITHOUT PREJUDICE
)	
vs.)	JUDGE: Honorable Charles R. Breyer
)	
RECONTRUST COMPANY, N.A.; BANK)	
OF AMERICA, N.A.; AND MORTGAGE)	
ELECTRONIC REGISTRATION SYSTEMS,)	
INC., DOES 1 – 100, INCLUSIVE,)	
)	
Defendants.)	
)	
)	

WHEREAS the Parties have agreed that Defendant's rescission of the Notice of Default against Plaintiff's property has rendered the current lawsuit moot.

THEREFORE the Parties agree that the case shall be dismissed without prejudice, each side to bear its own costs and fees.

Date: January 22, 2013

/s/ Michael Yesk
Michael Yesk
Attorney for Plaintiffs

1 Date: January 22, 2013

_____/s/ Brian S. Whittemore
Brian S. Whittemore
Attorney for Defendants

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4 BASED ON THE FOREGOING, IT IS THEREFORE ORDERED THAT:

5 The Complaint is hereby Dismissed Without Prejudice, each side to bear its own costs and fees.
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7 Date: January 23, 2013

